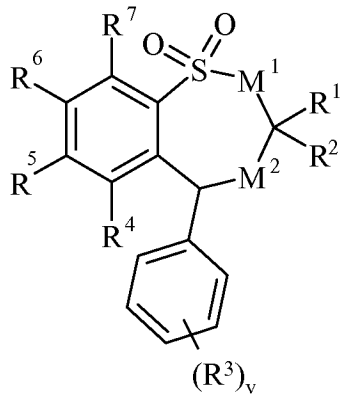
## LISTING OF THE CLAIMS

1. (Currently Amended) A compound of formula **(I)**:



**(I)**

wherein

$\mathbf{M^1}$ is $-CH_2-$;

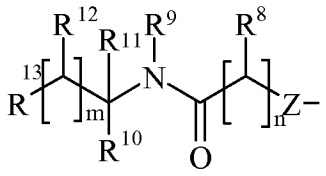
$\mathbf{M^2}$ is $-NR^{24}-$;

one of $\mathbf{R^1}$ and $\mathbf{R^2}$ is selected from hydrogen or $C_{1-6}$alkyl and the other is selected from $C_{1-6}$alkyl;

**v** is 0;

$\mathbf{R^4}$ and $\mathbf{R^7}$ are hydrogen;

one of $\mathbf{R^5}$ and $\mathbf{R^6}$ is a group of formula **(IA)**:



**(IA)**

and the other of $R^5$ and $\mathbf{R^6}$ is hydrogen or methylthio;

**Z** is –O–;

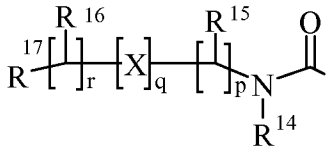
$\mathbf{R^8}$ is hydrogen;

$\mathbf{R^9}$ is hydrogen;

$\mathbf{R^{10}}$ is selected from cyclohexyl, and phenyl optionally substituted by one or more substituents $R^{28}$;

**$R^{11}$** is hydrogen;

**$R^{13}$** is a group of formula **(IB)**:



**(IB)**

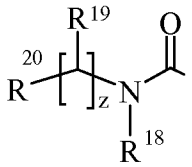
wherein:

**$R^{14}$** is hydrogen;

**$R^{15}$** is hydrogen;

**$R^{16}$** is hydroxy;

**$R^{17}$** is ethyl substituted on each carbon by one $R^{47}$, wherein $R^{47}$ is hydroxyl, or **$R^{17}$** is a group of formula **(IC)**;



**(IC)**

wherein:

**$R^{18}$** is hydrogen;

**$R^{19}$** is hydrogen;

**$R^{20}$** is $C_{1\text{-}10}$alkyl; wherein $R^{20}$ may be independently optionally substituted on carbon by one or more $R^{57}$; wherein $R^{57}$ is selected from halo or hydroxyl;

**p** is 1;

**q** is 0;

**r** is 3;

**m** is 0;

**n** is 1;

**z** is 0-3;

**$R^{24}$** is hydrogen; and

each **$R^{28}$** is selected from halo, hydroxy, and $C_{1\text{-}10}$alkoxy;

or a pharmaceutically acceptable salt or an *in vivo* hydrolysable ester ~~or amide~~ thereof, wherein the hydrolysable ester is selected from the group consisting of: α-acyloxyalkyl ethers selected from acetoxymethoxy and 2,2-dimethylpropionyloxy-methoxy; and *in vivo* hydrolysable ester forming groups for hydroxy selected from alkanoyl, benzoyl, phenylacetyl, alkoxycarbonyl, dialkylcarbamoyl, N-(dialkylaminoethyl)-N-alkylcarbamoyl, dialkylaminoacetyl, and carboxyacetyl.

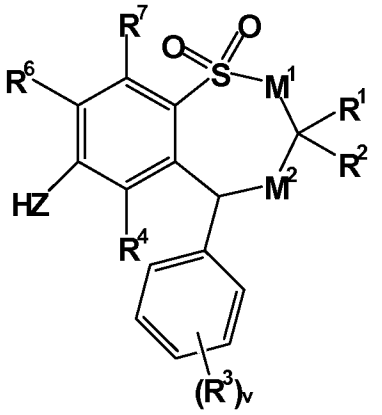
2. – 5. (Cancelled)

6. (Previously Presented) A compound according to claim 1 wherein one of $R^1$ and $R^2$ is $C_{1-4}$alkyl.

7. – 11. (Cancelled)

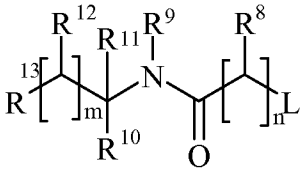
12. (Currently Amended) A compound having formula: (+/-)-trans-1,1-dioxo-3-ethyl-3-butyl-5-phenyl-7-methylthio-8-(*N*-{(R)-α-[*N*'-(2-(S)-3-(R)-4-(R)-5-(R)-2,3,4,5,6-pentahydroxyhexyl)carbamoyl]benzyl}carbamoylmethoxy)-2,3,4,5-tetrahydro-1,4-benzothiazepine, or a pharmaceutically acceptable salt or an *in vivo* hydrolysable ester ~~or amide~~ thereof, wherein the hydrolysable ester is selected from the group consisting of: α-acyloxyalkyl ethers selected from acetoxymethoxy and 2,2-dimethylpropionyloxy-methoxy; and *in vivo* hydrolysable ester forming groups for hydroxy selected from alkanoyl, benzoyl, phenylacetyl, alkoxycarbonyl, dialkylcarbamoyl, N-(dialkylaminoethyl)-N-alkylcarbamoyl, dialkylaminoacetyl, and carboxyacetyl.

13. (Withdrawn – Previously Presented) A process for preparing a compound of formula **(I)** or a pharmaceutically acceptable salt or an *in vivo* hydrolysable ester or amide thereof, as claimed in claim 1, which process comprises of:
*Process 1):* for compounds of formula **(I)**; reacting a compound of formula **(IIa)**:



**(IIa)**

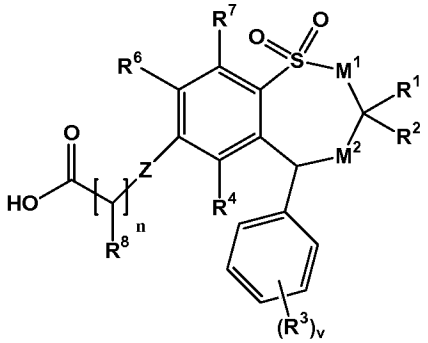
with a compound of formula **(III)**:



**(III)**

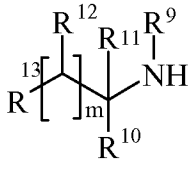
wherein L is a displaceable group;

*Process 2):* reacting an acid of formula **(IVa)**:



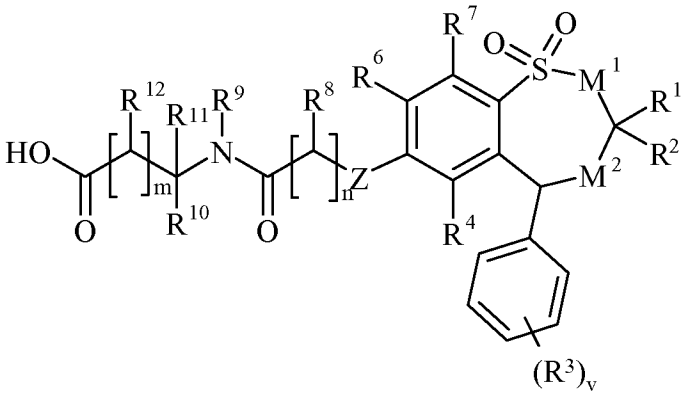
**(IVa)**

with an amine of formula **(V)**:



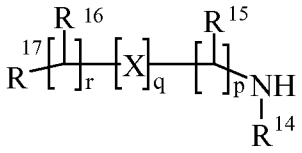
**(V)**;

*Process 3):* for compounds of formula **(I)** wherein $R^{13}$ is a group of formula **(IB)**; reacting an acid of formula **(VIa)**:



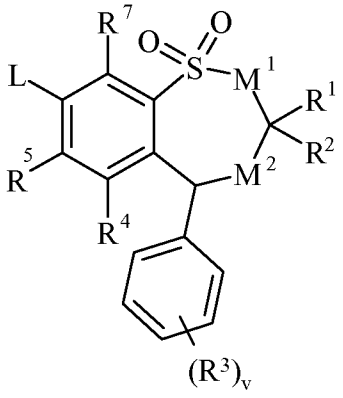
**(VIa)**

with an amine of formula (VI):



(VI); or

*Process 4)* for compounds of formula **(I)** wherein $R^6$ is methylthio ; reacting a compound of formula **(Xb)**:



**(Xb)**

wherein L is a displaceable group; with a thiol of formula **(XI)**:

$R^m$-H

**(XI)**

wherein $R^m$ is methylthio;

and optionally:

i) converting a compound of the formula **(I)** into another compound of the formula **(I)**;

ii) removing any protecting groups;

iii) forming a pharmaceutically acceptable salt or a prodrug.

14. – 17. (Cancelled)

18. (Currently Amended) A pharmaceutical composition which comprises a compound of formula **(I)**, or a pharmaceutically acceptable salt or an *in vivo* hydrolysable ester ~~or amide~~ prodrug thereof, as ~~claimed~~ in claim 1, in association with a pharmaceutically-acceptable diluent or carrier, wherein the hydrolysable ester is selected from the group consisting of: α-acyloxyalkyl ethers selected from acetoxymethoxy and 2,2-dimethylpropionyloxy-methoxy; and *in vivo* hydrolysable ester forming groups for hydroxy selected from alkanoyl, benzoyl, phenylacetyl, alkoxycarbonyl, dialkylcarbamoyl, N-(dialkylaminoethyl)-N-alkylcarbamoyl, dialkylaminoacetyl, and carboxyacetyl.

19. – 25. (Cancelled)